

REMARKS

The claims appearing in this application were 1 through 10. Each of the claims appearing were rejected under 35 U.S.C. § 102(b) as being anticipated by Enstrom, U.S. Patent No. 3,882,755. Claims 1 through 10 have been canceled and new claim 11 has been submitted. Applicant respectfully submits that new claim 10 is not anticipated by Enstrom nor does Enstrom or any of the other references render newly submitted claim 11 obvious.

Claim 11 as presently submitted defines a fastening member formed from a sheet plate wherein the root portion defines two completely enclosed elongated slots extending in a longitudinal direction thereof with the outer edges of the red portion adjacent the slots formed with a ratchet portion. The distal end of the fastener gradually decreases in width along to opposite sides formed with an inclined face terminating in an oblique blade with a tip extending from the ends of the oblique blade with the tip formed by first and second sides defining an included angle of approximately less than seventy degrees. The specification has been amended at page 4 to provide support for this limitation concerning the tip. The material newly added to the specification merely clarifies and further describes what is shown in the drawings namely, that the tip is formed by first and second sides extending from the second ends of the oblique blades and defining an included angle of less than approximately seventy degrees. Applicant respectfully submits that Enstrom does not disclose such a structure. Enstrom does not disclose completely enclosed elongated slots but rather discloses wings 26, 26A attached only at the penetration end of the fastener with the opposite end unattached to the body. It has been discovered that a fastener constructed as shown by Enstrom utilizing these outwardly extending planar wings that upon installation the wings crystalize at the bottom connection points thus

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depriving them of the ability to extend outwardly at the end of the fastening cycle. Furthermore, at the end of the fastening cycle, the wings are directly against the body of the fastener which precludes any further inward resilient movement of the wings in response to forces applied by the substrate through which the fastener is passing. With Applicant's fastener, the completely enclosed elongated slots function in such a fashion to allow the ratchet portion of the root portion to flex inwardly as the fastener is driving through the substrate. When the fastening cycle is completed the root portion as a result of metal memory extends outwardly to cause the ratchet members to further grip the substrate to secure the work pieces or articles 52 and 54 together.

Applicant respectfully submits that claim 11 as presented defines subject matter which is patentable over Enstrom, 3,882,755, as well as the remaining references cited by the Examiner taken separately or collectively. Applicant therefore respectfully requests consideration of claim 11 as presented herewith and the issuance of a Notice of Allowance with respect thereto.

Respectfully submitted,

Date:

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